

**From:** [Hill, Shannon](#)  
**To:** [Downtown West Project](#)  
**Subject:** FW: Tree Removal Justification  
**Date:** Wednesday, September 9, 2020 1:06:58 AM

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**From:** Keyon, David  
**Sent:** Thursday, May 14, 2020 4:30 PM  
**To:** Hill, Shannon <[Shannon.Hill@sanjoseca.gov](mailto:Shannon.Hill@sanjoseca.gov)>; Karl Heisler <[kheisler@esassoc.com](mailto:kheisler@esassoc.com)>; Linda S. Peters <[lpeters@esassoc.com](mailto:lpeters@esassoc.com)>  
**Cc:** Hillary Gitelman <[HGitelman@esassoc.com](mailto:HGitelman@esassoc.com)>  
**Subject:** Re: Tree Removal Justification

Hi Shannon,

The information in the EIR should be sufficient with the explanation that we are evaluating the worst case (removal of all trees on the site) but will have replacement trees per the planting palette in the DWDSG. The exception is trees in the riparian corridor, which is sensitive habitat and for which we already have analysis and mitigation.

Thanks,

**David Keyon**

Principal Planner, Environmental Review  
City of San Jose  
(408) 535-7898 [david.keyon@sanjoseca.gov](mailto:david.keyon@sanjoseca.gov)

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**From:** Hill, Shannon <[Shannon.Hill@sanjoseca.gov](mailto:Shannon.Hill@sanjoseca.gov)>  
**Sent:** Thursday, May 14, 2020 4:22 PM  
**To:** Karl Heisler <[kheisler@esassoc.com](mailto:kheisler@esassoc.com)>; Linda S. Peters <[lpeters@esassoc.com](mailto:lpeters@esassoc.com)>; Keyon, David <[david.keyon@sanjoseca.gov](mailto:david.keyon@sanjoseca.gov)>  
**Cc:** Hillary Gitelman <[HGitelman@esassoc.com](mailto:HGitelman@esassoc.com)>  
**Subject:** RE: Tree Removal Justification

Hi Karl,

Tree removal will be approved as part of the planned development permit. There will be no separate tree removal permit application. Also, this is not a conventional project because the DWDSG will be used to review future development proposals and should reflect conditions of approval and mitigation measures.

Maybe just adding text that all trees were assumed to be removed as a worst-case scenario, since there is not enough detail to determine otherwise, and explaining that some trees may be retained depending on proposed development (if that is the case) would be sufficient because as the sections stand, there is no reason for assuming all trees would be removed.

**David, based on your experience, do you have an opinion about the level of detail for the EIR?**

Thanks,

Shannon Hill, Planner

Planning, Building & Code Enforcement | Environmental Review Section  
City of San José | 200 East Santa Clara Street  
[Shannon.Hill@sanjoseca.gov](mailto:Shannon.Hill@sanjoseca.gov)

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**From:** Karl Heisler <[KHeisler@esassoc.com](mailto:KHeisler@esassoc.com)>

**Sent:** Thursday, May 14, 2020 4:13 PM

**To:** Linda S. Peters <[lpeters@esassoc.com](mailto:lpeters@esassoc.com)>; Hill, Shannon <[Shannon.Hill@sanjoseca.gov](mailto:Shannon.Hill@sanjoseca.gov)>

**Cc:** Keyon, David <[david.keyon@sanjoseca.gov](mailto:david.keyon@sanjoseca.gov)>; Hillary Gitelman <[HGitelman@esassoc.com](mailto:HGitelman@esassoc.com)>

**Subject:** RE: Tree Removal Justification

[External Email]

The other thing to bear in mind is that is proposing to plant nearly 2,300 new trees.

Shannon—Isn't the justification for removal part of the tree removal application (and perhaps the PD Permit), as opposed to something that would normally go in the EIR (similar to any reasoning behind a project approval action)?

**Karl F. Heisler**

ESA | Environmental Science Associates

**Note that I am working remotely – call or text my mobile at (415) 377-5303.**

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**From:** Linda S. Peters <[lpeters@esassoc.com](mailto:lpeters@esassoc.com)>

**Sent:** Thursday, May 14, 2020 4:09 PM

**To:** Hill, Shannon <[Shannon.Hill@sanjoseca.gov](mailto:Shannon.Hill@sanjoseca.gov)>

**Cc:** Keyon, David <[david.keyon@sanjoseca.gov](mailto:david.keyon@sanjoseca.gov)>; Hillary Gitelman <[HGitelman@esassoc.com](mailto:HGitelman@esassoc.com)>; Karl Heisler <[KHeisler@esassoc.com](mailto:KHeisler@esassoc.com)>

**Subject:** RE: Tree Removal Justification

Hi Shannon

Thank you so much for the note; I will need to confirm but I believe as we didn't know what trees might be able to be retained, we took a conservative worst-case approach.

Thank you so much for passing this along, we will see what clarification or justification we can add to the document.

Linda

**Linda S. Peters**

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**From:** Hill, Shannon <[Shannon.Hill@sanjoseca.gov](mailto:Shannon.Hill@sanjoseca.gov)>

**Sent:** Thursday, May 14, 2020 4:06 PM

**To:** Linda S. Peters <[lspecters@esaassoc.com](mailto:lspecters@esaassoc.com)>

**Cc:** Keyon, David <[david.keyon@sanjoseca.gov](mailto:david.keyon@sanjoseca.gov)>; Hillary Gitelman <[HGitelman@esaassoc.com](mailto:HGitelman@esaassoc.com)>; Karl Heisler <[KHeisler@esaassoc.com](mailto:KHeisler@esaassoc.com)>

**Subject:** Tree Removal Justification

Hi Linda,

I have a follow-up comment/question based on review of the DWDSG that I neglected to enter on ADEIR3.

**Section 2.13.2 (Demolition, Grading, and Site Preparation) of the project description includes the following text:**

Other site preparation activities would involve removing vegetation, which is assumed to include all existing trees (there are no City-designated Heritage Trees on the project site); grading; and, where necessary, site remediation. (Refer to Section 3.7, *Hazards and Hazardous Materials*.)

**The following text is included under Impact BI-5, Subheading “City of San José Standard Condition of Approval BI-2: Tree Replacement”:**

All 537 urban street or landscape trees on-site would be removed, of which 8 are native and 529 are non-native (none are orchard trees).

Without having more detail on development, what is the justification for removing all trees on-site? It would be good to provide more information as to why this is required in both the project description and BIO section.

Thanks!

Shannon Hill, Planner

Planning, Building & Code Enforcement | Environmental Review Section

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